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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,851	07/26/2000	Kosuke Fujimoto	CFO 14642 US	7960

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EXAMINER

BUDD, MARK OSBORNE

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 09/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

625851

Applicant(s)

Fujimoto

Examiner

McBodd

Group Art Unit

2834

---The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address---

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8-8-02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-3, 13-15, 17, 18 and 57-65 & 67-93 is/are pending in the application.
- Of the above claim(s) 87 and 88 is/are withdrawn from consideration.
- ☒ Claim(s) 3, 15, 17, 18, 59, 69, 72, 74, 76, 77, 80, 83, 85, 87, 88, 89, 90, 91, 92, 93 is/are allowed.
- ☒ Claim(s) 1, 2, 13, 14, 57, 58, 60-65, 67, 68, 70, 71, 73, 75, 78, 79, 81, 82, 84, 86, 89, 93 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2834

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:


A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2, 13, 14, 57, 58, 60-65, 67, 68, 70, 73, 75, 78, 79, 81, 82, 84, 86 and 89-93 are rejected under 35 U.S.C. 102(a) as being anticipated by Tobe, Fujimoto or Tsukada.

Tobe, especially fig. 7A teaches a vibration motor with cut outs (narrow portions) located at mid-electrode locations. Fujimoto (figs. 1, 3 and 4) teaches the areas between electrodes are thicker (tooth locations) than other areas. Tsukada fig. 3 shows some between electrode areas of higher rigidity (tooth locations) and some between electrode areas fall at a gap (non-tooth). Since the claim language does not state that all the between electrode areas are at increased rigid areas, the structure of Tsukada meets the terms of these claims.

Claims 3, 15, 17, 18, 59, 69, 72, 74, 76, 77, 80, 83, 85, 87 and 88.


MARK O. BUDD
PRIMARY EXAMINER
ART UNIT 212